

**Memphis and Shelby County
Metropolitan Government Charter Commission**

**Minutes
5th Meeting
January 14, 2010
4:00 p.m.**

Commission members present:

Julie Ellis, Chairperson
Lou Etta Burkins, Secretary/Treasurer
Andre Fowlkes, Vice Chairman
Damon Griffin
Mayor Richard Hodges
Billy Orgel
Chris Patterson
Carmen Sandoval
Rev. Ralph White
Rufus Washington
Jim Strickland
J. W. Gibson
Dr. Randolph Meade Walker

Commission members absent:

Linda Kerley
Richard Smith

Others present:

Regina Morrison Newman, County Trustee
Bobby F. Grandberry
Christy Kinard, Assistant County Attorney
Matt Kuhn, Assistant to County Mayor
Kelly Rayne, Assistant to Memphis Mayor
Jack Payne, Jr., Assistant City Attorney
Scott J. Sigman, Director, Memphis Chamber
Darrell Cobbins, Rebuilding Government
Brian Stephens, Rebuilding Government
Zach McMillan, Rebuilding Government

Harvey Kennedy, Sheriff's Office
Kim Hackney, Sheriff's Office
Joe Saino
Steve Ross, Blogger
Mike Ritz, Co. Commissioner
John Pellicciotte, Co. Commissioner

The meeting was called to order after a moment of silence

Chairman Ellis called the roll

Chairman Ellis reminded Matt Kuhn to attempt to arrange parking in the County building garage on meeting days

Approval of Minutes – Commissioner Washington moved approval of the minutes of the December 3, 2009 meeting. Commissioner _____ seconded – all Commissioners vote ayes. The minutes of the December 17, 2009 meeting need correction and will be approved next meeting, January 21, 2010.

Executive Committee Report – has met twice to review agendas, project plan and what needs to be accomplished. Task force assignments and guidelines will be discussed later today.

Mayor Ford spoke and offered assistance of his staff and task forces. Mayor Ford currently has 14 Shelby County government Task Forces, some will relate to the Metro Charter Commission work, please call upon those chairmen and call the Mayor's office for assistance – have Mayor's total support. Mayor Ford will respect the work of this committee.

Executive Committee Report, cont. - Lou Etta Burkins – distributed 4 handouts.

Jan 4th meeting re: commission website – webpage up and going now. Need administrative support, CAO and Secretary (Rayne and Kuhn joint CAO w/out objection). Need deliverables to be developed, Ellis will cover. Fowlkes marketing plan. Inclement weather policy.

Jan 11th meeting – Sec / CAO, creation of resources list, internal (Kinard / Kuhn) and external (Fowlkes) for Task Force assistance. We are generating action item lists from Commission and Executive Committee meetings.

Project Plan - list of tasks, assigned dates to start, finish and identify resources to assist. Charter must be written and filed 08/02/10. Initiation stage - elected officers, developed values, identify Task Forces. Now in planning stage, need to develop and approve budget and framework for the Charter – John Ryder will have Charter framework to present at the end of the month. Project Plan needs to be approved, though will continue to evolve. Early decision points tbd end of March.

Benchmark studies - presentations from other cities scheduled – Jacksonville, Louisville, Nashville. Plan to visit Louisville.

Task Force leaders – identify needs, resources, plans, etc. – recommendations to Commission end of March, i.e. “what's in and what's out.”

Roadmap – public briefings, presentation of Charter to legislative bodies.

Gibson – John Ryder offer framework Jan 29 and task force recommendations are due at the end of March?

Ellis – yes, we will determine where task force items will fit in Charter. March 24 date is not set in stone.

Burkus – body will need time to review, approve or request revision of Task Force recommendations – want initial work ASAP.

Ryder – January deadline not realistic. We need until mid February. State Statute provides structure. We will use Nashville and Shelby County Charters to flesh out and have City and County Attorneys review and bring back recommendations to the Commission. Will discuss policy issues as well as statutory requirements.

Ellis – benchmark cities provide models to address various issues for Task Forces. More questions than answers may arise.

Washington – February date affect 3/31 date? Ellis – wait and see.

Report from Rebuild Government – Commission watched Rebuilding Government video

Darrell Cobbins – we are cognizant that it has been 40 years since we had a consolidation vote. The video encourages dialogue.

Brian Stephens - Spent last month having small group discussions – 48 meeting w/ @ 4 people each for 1 hour. We show the video, discuss the Charter Commission and ask citizens what they want to see. Top issues – MLGW future, clear concise Charter document, questions about taxing / taxing districts / services, etc., benefits. We want to have 2000 of these meetings, reaching out to all of Memphis.

Washington – how disseminate info re: small meetings? Stephens – ask people to have us to their office, home, etc. and asking those attendees to hold more meetings. We have a website, Facebook page, will start email blast. These meetings focus on listening to citizen concerns. Encourage suggestions for people to hold meetings.

Ellis – can Task Force chairs ask Rebuilding Government to ask certain questions at these meetings? Stephens – yes, good opportunity.

Walker – are we assuming exodus from Shelby County government structure? Stephens – not sure, but hear lots of concerns about government and getting jobs that will allow our children to stay here. Metro government is not a panacea, but an opportunity, one facet.

White – did not see South Memphis represented in the video. This community concerned about schools, why schools not included in “One Memphis?” The exodus from Shelby

County is because of undereducated youth. There are “2 Cites of Memphis.” Stephens – a decision has been made about the schools, we are working with what the Commission decided. Cobbins – we will listen to the citizens and report back to the Commission on this issue and others we hear people say are important.

Walker – we want this effort to be successful. Don’t believe government structure will fix the exodus. Must find and address the cause. The problem may be personalities of government, not structure. Need to look at other factors methodically. Identity problems in Memphis and the area, we view ourselves negatively, we run Memphis down and that makes people flee. People from Memphis are the worst offenders – what causes that mindset? Cobbins – we need to discuss that across the community. What are the root issues? We haven’t had the government consolidation discussion for over 40 years

Fowlkes – I see Rebuilding Government as a 2 way street for info, but you can’t do it all. Effective communicating to the community and finding ways to do this is crucial. Need avenues to groups. Stephens – people ask us when and how the Commission will get out there.

Ellis – Kerly working on coordinating with the 6 Mayors and having meetings in their communities. Want to review our decisions in public meetings. County Mayor task forces will discuss how to work with the city and use their resources.

Gibson – Rebuilding Government should attend Commission subcommittee meetings to get to the meat.

Presentation by Payne and Kinard re: government organization, function, etc. coming soon.

Jacksonville presentation postponed until 02/04/10.

Charter end-goals – Fowlkes – want Charter to set stage for better government (handout). Agree on what we are working towards. Discuss next Commission meeting.

Ellis – discussed values first meeting. End goals different, what do we hope to deliver? Exact performance items.

Task Force assignment proposal, list of chairs, members and resources. Saino working with Ford Civil Service and Pension reform Task Forces. We have asked him to work with us on the issues as well. We asked John Ponius to serve as a resource to the task force as well. Encourage suggestion to ask individuals to serve in capacities of their expertise. Task Forces take their area and look at current service level / provider, their legislative authority, how governed, salary, pension, how financed, annual budget, how

successful, bond authority, debt, etc. Look at words and definitions. John Ryder will look at while drafting.

Checks and balances. Safeguards re: services – provide structure, not micro-manage. Urban v. general services. Evaluate current service provided. Resources, needs, etc.

Look at other cities - best practices, cautionary tales.

Report to Commission benefit of services, best form or method, suggest changes.

Sandoval – I like the March 31 deadline. Conversation after recommendations crucial, need plenty of time for community input, Commission discussion, etc.

Kuhn – Task Force chairs, please copy me and Christy re: meetings, needs, etc.

Ellis – Chair assigned Task Forces, may modify if necessary.

Strickland – Matt, Christy and Kelly send sunshine notice?

Washington – problems with additional duties. Health? Ellis – b/c of emergency services, 911 overlap. Like the outline, planning for some meetings, need help w/ location. Task Force members vote on recommendations within the Task Force and Commission sanction? Kinard – others can serve as non-voting Task Force members. To appoint such members, the Commission can authorize the Task Forces to appoint these members rather than have the full Commission approve additional members. Ellis – need resources and Task Force Chairmen can use such ex-officio members.

Orgel – thought this Commission was more “big picture.” Louisville voted and then implemented details later. Charter should be relatively simple document. What will come out of the Task Forces? Will this raise too many questions? Ask voters for mandate, let government put together the pieces. Ellis – look at services and how provided. We are using the Jacksonville Task Force model. We will decide how many divisions of government we need. Former Indianapolis Mayor can address this on 03/04/10.

Walker – demographics of comparative cities? Ellis – similar size and populations, race somewhat different.

Griffin – do we have a copy of the Jacksonville Charter? Ellis – see link on Commission webpage. Jacksonville is currently reviewing their Charter.

Gibson – who will keep Task Force minutes? Ellis – don’t know. Up to the Task Force – minutes only highlight decisions, who there? Looking for resources. Gibson – purpose of Task Force described, where issues codified? Ellis – government structure list will identify authorization / enabling legislation. Allow public initiatives? Perhaps – don’t know yet. Rayne will report status of city charter amendments next meeting.

Washington – how will we record Task Force meetings? Kinard – will record and make an audio disk. Task Force meetings are not required to be recorded, but recommend you do so and we will provide a device.

Fowlkes – look at timeline. If your Task Force finishes early, bring your findings and present to the Commission ASAP. Presentation to Commission can be lengthy, how should we deal with this? Time limits can be problematic. Ellis – Task Forces should provide updates at each Commission meeting as to where you are, etc.? No objection noted.

Ellis – appreciate everyone’s service, time and work. Brian Kuhn issues preliminary opinion re: annexation issues.

Griffin – talk to other Task Force Chairs re: overlap of work? Ellis – yes, do as much as possible among the Task Forces, can’t have the Commission address too much.

Ellis – the Commission will meet every Thursday beginning in March. Griffin – after Task Force work is complete? Ellis – maybe. Fowlkes – review of Task Force work can be lengthy. Need to meet more often to keep meetings to 2 hours or so.

Gibson – can we meet days other than Thursday? Ellis – Thursday is the day that works best for most members.

Ellis – meet weekly Mar 1 or Apr 1? Griffin – Task Force meetings and weekly Commission meetings is too much. Hodges – I can make most Thursdays. Burkus – start weekly Commission meetings in April? – approved w/out objection.

Ellis – any other comments?

Comments from public –

Joe Saino, 6560 Kirby Forest Cove, 38119 – the public wants lower taxes, that’s why people are leaving in addition to crime and poor education. Our unfunded pension liabilities are too large. Will this group over rule Mayor Ford’s Task Force on pension? What is coordination? Cronyism can’t be addressed in Charter. I don’t agree the Charter should be broad, it should be more specific. Address pension and benefits, i.e. vacation / sick time. Listen to the public, that is how term limits got imposed. A super majority or voter referendum should be required to raise taxes. Convince the citizens you’re listening. Allow realistic citizen petition right to referendum.

Ellis – will avoid duplication

Adjourned 6:06pm

Next meeting is Thursday, January 21, 2010